

REMARKS

Reconsideration of the above-identified application is respectfully requested. Claims 6-10 are pending in the application. The examiner rejected claims 6-10 under 35 U.S.C. § 103 (a) as being unpatentable over Hinoue et al. (U. S. 6,118,485) in view of Someya et al. (U. S. 5,128,705) in further view of Chang et al. (U. S. 6,417,884).

Applicant had previously submitted new independent Claim 6 to avoid the rejection previously interposed by the Examiner of Hinoue et al. in view of Someya et al. Claim 6 added structural limitation not found, taught, or suggested in the combination of Hinoue et al. and Someya et al. The Examiner in the Office Action of August 26, 2003 inherently acknowledged this and added the reference to Chang et al.

It is respectfully pointed out that Chang et al. is not available as a reference. Chang et al. was filed in the United States on August 12, 1998. The present application is based on Japanese patent application 10-184359 filed on June 30, 1998. Thus as the priority date of June 30, 1998 predates the filing date of the Chang et al. reference of August 12, 1998. Pursuant to 35 U.S.C. § 102 (e) the Chang et al. reference is not available to be used against claims of the present application.

Accordingly, in view of the fact that the Chang et al. reference is unavailable, the Examiner's rejection under 35 U.S.C. § 103 (a) cannot be maintained. Accordingly, allowance of the present application is respectfully requested.

PATENT
450100-4942

Conclusion

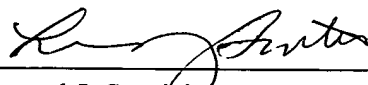
Enclosed is check in the amount of \$420.00 for a two month extension of time.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

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